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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,378	04/12/2004	Adam Cain	863.0019.UI(US)	3369
29683	7590	10/31/2007		
HARRINGTON & SMITH, PC 4 RESEARCH DRIVE SHELTON, CT 06484-6212			EXAMINER NGUYEN, THU HA T	
			ART UNIT 2153	PAPER NUMBER
			MAIL DATE 10/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/823,378

Applicant(s)

CAIN ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims **1-14** are presented for examination.

**Response to Arguments**

2. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

**Continued Examination Under 37 CFR 1.114**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/11/07 has been entered.

**Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Win et al.** (hereinafter Win) U.S. Patent No. **6,453,353**, in view of **Wright et al.** (hereinafter Wright) U.S. Pub. No. **2004/0123153**.

5. As to claim 1, Win teaches a method for authorizing a network device, comprising: generating an attribute certificate based, in part, on the attribute (col. 7, line 34-col. 8, line 46, col. 10, line 34-col. 11, line 9); storing the attribute certificate including the attribute (col. 6, line 20-65, col. 10, lines 14-67); and if the attribute certificate is valid, authorizing access to a resource over a network based, in part, on the attribute associated with the attribute certificate (col. 9, line 14-col. 10, line 67, col. 11, line 43-col. 12, line 8).

Win teaches the feature of determining an attribute based on a capability of users (abstract, figure 1, col. 6, lines 58-65, col. 11, line 42-col. 12, line 8). However, Win does not explicitly teach determining an attribute based, in part, on a capability of the network device.

Wright teaches the feature of determining an attribute based, in part, on a capability of the network device ([0066-0067], [0078]-[0121]).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Wright into Win to include the feature of determining an attribute based on a capability of a network device because it would have provided different levels of security protection for different location and/or security features are highly desirable for network device.

6. As to claim 2, Win teaches attribute is further determined based, in part, on an automated security scan of the network device (abstract, col. 5, line 55-col. 6, line 10, col. 10, lines 34-67).

7. As to claim 3, Win teaches wherein the attribute is further determined based, in part, on a condition to be satisfied (figure 3, col. 8, lines 5-63).

8. As to claim 4, Win teaches wherein the attribute is further associated with a group of network devices (col. 13, lines 35-67).

9. As to claim 5, Win teaches wherein the attribute is further associated with a group of users (col. 13, lines 35-67).

10. As to claim 6, Win teaches, wherein the attribute certificate is generated by at least one of the network device, an access server, and an attribute authority (figure 1).

11. As to claim 7, Win teaches wherein the attribute certificate is stored in at least one of the network device, and an attribute repository (figure 1).

12. As to claim 8, Win teaches wherein the attribute certificate is provided to an access server through the use of at least one of a cookie, a program, and a manual upload (col. 10, line 41-col. 12, lines 8).

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13. As to claim 9, Win teaches a network device for managing authorization to a resource over a network, comprising: a second component, coupled to the first component, configured to store the attribute certificate (col. 7, line 34-col. 8, line 46, col. 10, line 34-col. 11, line 9); and a third component, coupled to the second component, configured to authorize the other network device to the resource over the network based, in part, on the attribute of the other network device associated with the attribute certificate (col. 9, line 14-col. 10, line 67, col. 11, line 43-col. 12, line 8).

Win teaches a first component configured to generate an attribute certificate, wherein the attribute certificate is based, in part, on a capability of users (abstract, figure 1, col. 6, lines 58-65, col. 11, line 42-col. 12, line 8). However, Win does not explicitly teach a first component configured to generate an attribute certificate, wherein the attribute certificate is based, in part, on a capability of another network device.

Wright teaches a first component configured to generate an attribute certificate, wherein the attribute certificate is based, in part, on a capability of another network device ([0066-0067], [0078]-[0121]).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Wright into Win to include the feature of determining an attribute based on a capability of a network device because it would have provided different levels of security protection for different location and/or security features are highly desirable for network device.

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14. As to claim 10, Win teaches wherein the first component is further configured to generate the attribute certificate based on a condition to be satisfied (figure 3, col. 8, lines 5-63).

15. As to claim 11, Win teaches further comprising a fourth component that is configured to perform an automated security scan of the other network device (abstract, col. 5, line 55-col. 6, line 10, col. 10, lines 34-67).

16. As to claim 12, Win teaches wherein the first component is further configured to generate the attribute certificate based on the automated security scan of the other network device (abstract, col. 5, line 55-col. 6, line 10, col. 10, lines 34-67).

17. As to claim 13, Win teaches wherein the second component is further configured to send the attribute certificate to the other network device to be stored, and the third component it further configured to receive the attribute certificate (figure 1).

18. As to claim 14, Win teaches a network device for managing authorization to a resource over a network, comprising: a means for generating an attribute certificate, wherein the attribute certificate is based on a capability of users (abstract, figure 1, col. 6, lines 58-65, col. 11, line 42-col. 12, line 8); a means for storing the attribute certificate (col. 7, line 34-col. 8, line 46, col. 10, line 34-col. 11, line 9); and a means for authorizing the other network device to the resource over the network based,

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in part, on the attribute of the other network device associated with the attribute certificate (col. 9, line 14-col. 10, line 67, col.11, line 43-col. 12, line 8).

However, Win does not explicitly teach a means for generating an attribute certificate, wherein the attribute certificate is based on a capability of another network device.

Wright teaches a means for generating an attribute certificate, wherein the attribute certificate is based on a capability of another network device ([0066-0067], [0078]-[0121]).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Wright into Win to include the feature of determining an attribute based on a capability of a network device because it would have provided different levels of security protection for different location and/or security features are highly desirable for network device.

### **Conclusion**

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached at (571) 272-3949.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
THU HA NGUYEN  
PRIMARY EXAMINER

October 27, 2007